REMARKS

STATUS OF CLAIMS

Claims 1-52 are pending. Claims 1, 12, 21, 32, 44, 38, 51, and 52 are currently amended to correct minor informalities and to more clearly define the presently claimed invention. No new matter is added.

CLAIM OBJECTIONS

Claims 1, 21, 51, and 52 are objected to for containing informalities. The cited informalities are corrected in the present amendments. Therefore, the objection with respect to these claims should be removed.

REJECTIONS UNDER § 112

Claims 1, 21, 38, 51, and 52 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. The Applicants respectfully disagree.

Support for the claim element "wherein the fluid has a friction drop at high speeds of less than 0.008" is supported, for example, at page 24, line 26 through page 27, line 11, including the table on page 26. Specifically, examples 1 and 1A represent a typical baseline automatic transmission fluid (ATF) without viscosity modifier. (See p. 25, lines 2-4). Example VII A represents a baseline fluid plus a polyisobutylene component, and example VII B represents a baseline fluid absent a polyisobutylene component but including a Mannich dispersant. Examples VII C – VII F include various other dispersants. (See p. 25, lines 16-26). In the table on page 26, data is shown for runs using an SAE No. 2 machine. The coefficients of friction were determined at an applied pressure of 890 kPa, a temperature of 120 °C, and a slip time of 2.9 seconds. Measurements were taken at speeds ranging from 1 to 300 rpm. (See p. 24, lines 26-31). The max-min row indicates the difference between the highest and lowest coefficient of friction measurements obtained for each fluid. The max-300 data indicate the difference

between the highest coefficient of friction obtained and the coefficient of friction measurement obtained at 300 for each fluid. For Baseline fluid 1, the max-min value is 0.005 and the max-300 value is 0.001. For Baseline fluid 1A, the max-min and the max-300 values are 0.005. For VII A, the max-min and the max-300 values are 0.005. For VII B, max-min and the max-300 values are 0.008. Therefore, by including a polyisoalkylene component (for example, a polyisobutylene component) in a power transmission fluid (for example, an automatic transmission fluid), a friction drop value at high speeds of less than 0.008 may be obtained, while also improving kinematic viscosity and Brookfield viscosity properties. (See Table, p. 26 and p. 27, lines 5-11).

REJECTIONS UNDER § 102

US 6,300,290 (L'Heureux)

Claims 1-4, 6, 8-10, 15-17, 21-24, 26, 28-30, 35-37, and 51 are rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by US 6,300,290 to L'Heureux ("L'Heureux"). This rejection is traversed for at least the following reasons.

Claim 1 defines a power transmission fluid composition comprising a power transmission fluid additive composition comprising a friction improving amount of a polyisoalkylene component wherein the power transmission fluid exhibits a KV of less than about 9 cSt and a BV of less than about 30,000 cP and wherein the friction versus velocity curve for the fluid has a more positive slope at high speeds compared to similar fluids in the absence of the polyisoalkylene component and wherein the fluid has a friction drop at high speeds of less than about 0.008. Claim 21 defines a method of improving shear stability for a transmission fluid comprising adding to a base oil a power transmission fluid additive composition comprising a polyisoalkylene component wherein the power transmission fluid exhibits a KV of less than about 9 cSt and a BV of less than about 30,000 cP and wherein the friction versus velocity curve for the fluid has a more positive slope at high speeds compared to similar fluids in the absence of the polyisoalkylene component and wherein the fluid has a friction drop at high speeds of less than about 0.008. Claim 51 defines a method for providing a power transmission fluid composition having a friction drop at high speeds of less than about 0.008, comprising

combining with a base oil an additive composition comprising a polyisoalkylene component, wherein the power transmission fluid exhibits a KV of less than about 9 cSt and a BV of less than about 30,000 cP and wherein the friction versus velocity curve for the fluid has a more positive slope at high speeds compared to similar fluids in the absence of the polyisoalkylene component.

Nothing in L'Heureux discloses, teaches, or suggests anything about the power transmission fluid composition of claim 1 or the method of improving shear stability for a transmission fluid of claim 21 or the method for providing a power transmission fluid having a friction drop at high speeds of less than about 0.008 of claim 51 comprising a power transmission fluid additive composition comprising a polyisoalkylene component and having a friction versus velocity curve with a more positive slope at high speeds compared to a fluid not containing polyisoalkylene. Further, L'Heureux does not disclose, teach, or suggest a power transmission fluid composition or a method of providing a power transmission fluid composition having a friction drop at high speeds of less than about 0.008.

L'Heureux discloses an oil composition useful as a two-cycle engine oil. A two-cycle engine oil is different from a power transmission fluid in many ways, one notable way being that a two-cycle engine oil is mixed with fuel and combusted. (See L'Heureux, col. 1, lines 15-21 and col. 6, lines 35-60). A two-cycle engine oil and a power transmission fluid are used in different parts of a vehicle and are used for completely different purposes. One of skill in the art reading L'Heureux learns about a two-cycle engine oil and the performance requirements thereof. One reading L'Heureux learns nothing about fluid components or properties for use as a power transmission fluid or a power transmission fluid additive composition. Even further, one reading L'Heureux learns nothing about improving the friction properties of a power transmission fluid using a specific viscosity index improver, namely, a polyisoalkylene.

The presently claimed invention provides a significant improvement over the prior art by providing a transmission fluid that provides a small friction drop at high speeds. See for example, the Table on page 26 in which transmission fluid VIIA has a friction drop of less than 0.008 at max-min and max-300 compared to transmission fluids not containing the

polyisoalkylene of the presently claimed invention. Nothing in L'Heureux discloses, teaches, or points to using a polyisoalkylene in a power transmission fluid or a power transmission fluid additive composition or to improve friction properties.

Therefore, independent claims 1, 21, and 51 and their dependent claims are novel over L'Heureux.

US 6,444,622 (Bala) in view of Performance Filtration, Inc., Mark Barnes, and Science and Engineering Encyclopedia

Claims 1-17, 21-37, and 51 are rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by US 6,444,622 to Balasubramaniam ("Bala") in view of the evidence given in Performance Filtration, Inc., Mark Barnes, and Science and Engineering Encyclopedia. This rejection is traversed for at least the following reasons.

Claim 1 defines a power transmission fluid composition comprising a power transmission fluid additive composition comprising a friction improving amount of a polyisoalkylene component wherein the power transmission fluid exhibits a KV of less than about 9 cSt and a BV of less than about 30,000 cP and wherein the friction versus velocity curve for the fluid has a more positive slope at high speeds compared to similar fluids in the absence of the polyisoalkylene component and wherein the fluid has a friction drop at high speeds of less than about 0.008. Claim 21 defines a method of improving shear stability for a transmission fluid comprising adding to a base oil a power transmission fluid additive composition comprising a polyisoalkylene component wherein the power transmission fluid exhibits a KV of less than about 9 cSt and a BV of less than about 30,000 cP and wherein the friction versus velocity curve for the fluid has a more positive slope at high speeds compared to similar fluids in the absence of the polyisoalkylene component and wherein the fluid has a friction drop at high speeds of less than about 0.008. Claim 51 defines a method for providing a power transmission fluid composition having a friction drop at high speeds of less than about 0.008, comprising combining with a base oil an additive composition comprising a polyisoalkylene component, wherein the power transmission fluid exhibits a KV of less than about 9 cSt and a BV of less

than about 30,000 cP and wherein the friction versus velocity curve for the fluid has a more positive slope at high speeds compared to similar fluids in the absence of the polyisoalkylene component.

Nothing in Bala discloses, teaches, or suggests anything about the power transmission fluid composition of claim 1 or the method of improving shear stability for a transmission fluid of claim 21 or the method for providing a power transmission fluid having a friction drop at high speeds of less than about 0.008 of claim 51 comprising a power transmission fluid additive composition comprising a polyisoalkylene component and having a friction versus velocity curve with a more positive slope at high speeds compared to a fluid not containing polyisoalkylene. Further, Bala does not disclose, teach, or suggest a power transmission fluid composition or a method of providing a power transmission fluid composition having a friction drop at high speeds of less than about 0.008. Even further, Bala does not disclose or teach a fully formulated power transmission fluid composition having a KV of less than about 9 cSt and a BV of less than about 30,000 cP.

Bala discloses a gear oil composition useful in improving axle efficiencies and lowering axle temperatures. A gear oil is different from a power transmission fluid in many ways, one notable way being that a gear oil is used to lubricate gear components such as axles and differentials. (See Bala, col. 1, lines 16-19 and lines 36-67). Axles and differentials are located in different parts of a vehicle than transmissions and also perform an entirely different function. Therefore, one of skill in the art reading Bala learns about a gear oil and the performance requirements thereof. One reading Bala learns nothing about fluid components or properties for use as a power transmission fluid or a power transmission fluid additive composition. Even further, one reading Bala learns nothing about improving the friction properties of a power transmission fluid using a specific viscosity index improver, namely, a polyisoalkylene.

The presently claimed invention provides a significant improvement over the prior art by providing a transmission fluid that provides a small friction drop at high speeds. See for example, the Table on page 26 in which transmission fluid VIIA has a friction drop of less than 0.008 at max-min and max-300 compared to transmission fluids not containing the

polyisoalkylene of the presently claimed invention. Nothing in Bala discloses, teaches, or points to using a polyisoalkylene in a power transmission fluid or a power transmission fluid additive composition or to improve friction properties.

The references Performance Filtration, Inc., Mark Barnes, and Science and Engineering Encyclopedia do not make up for the deficiencies of Bala and do not disclose, teach, or suggest anything about improved friction performance of a transmission fluid by including a polyisoalkylene component.

Therefore, independent claims 1, 21, and 51 and their dependent claims are novel over Bala.

REJECTIONS UNDER § 103(a)

US 6,300,290 (L'Heureux) in view of US 6,468,948 (Rossi)

Claims 38, 39, 41, 42, 47, and 52 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over L'Heureux in view of US 6,468,948 to Rossi ("Rossi"). This rejection is traversed for at least the following reasons.

Claim 38 defines a transmission additive concentrate comprising at least a first thickening agent comprising a polyisoalkylene and wherein a power transmission fluid containing the additive concentrate exhibits a KV of less than about 9 cSt and a BV of less than about 30,000 cP and wherein the friction versus velocity curve for the fluid has a more positive slope at high speeds compared to similar fluids in the absence of the polyisoalkylene component and wherein the fluid has a friction drop at high speeds of less than about 0.008. Claim 52 defines a method for lubricating a transmission comprising contacting said transmission with a transmission fluid comprising a polyisoalkylene component and wherein the transmission fluid exhibits a KV of less than about 9 cSt and a BV of less than about 30,000 cP and wherein the friction versus velocity curve for the fluid has a more positive slope at high speeds compared to similar fluids in the absence of the polyisoalkylene component and wherein the fluid has a friction drop at high speeds of less than about 0.008.

Nothing in L'Heureux, Rossi, or their combination discloses, teaches, or suggests anything about the transmission additive concentrate of claim 38 or the method for lubricating a transmission of claim 52 comprising a polyisoalkylene component and having a friction versus velocity curve with a more positive slope at high speeds compared to a fluid not containing polyisoalkylene. Further, none of L'Heureux, Rossi, or their combination discloses, teaches, or suggests an additive concentrate for a transmission fluid that provides a friction drop at high speeds of less than about 0.008.

L'Heureux discloses an oil composition useful as a two-cycle engine oil. A two-cycle engine oil is different from a power transmission fluid in many ways, one notable way being that a two-cycle engine oil is mixed with fuel and combusted (See L'Heureux, col. 1, lines 15-21 and col. 6, lines 35-60). A two-cycle engine oil and a power transmission fluid are used in different parts of a vehicle and are used for completely different purposes. One of skill in the art reading L'Heureux learns about a two-cycle engine oil and the performance requirements thereof. One reading L'Heureux learns nothing about fluid components or properties for use as a power transmission fluid or a power transmission fluid additive composition. Even further, one reading L'Heureux learns nothing about improving the friction properties of a power transmission fluid using a specific viscosity index improver, namely, a polyisoalkylene.

Rossi discloses polymers derived from olefins such as ethylene, C_3-C_{20} alpha-olefins, and mixtures thereof to provide polymers suitable as "polymer backbones" for the preparation of dispersants, viscosity modifiers, and flow improvers. Rossi discloses that polyisobutylene is commonly used in the preparation of dispersants, but that ethylene alpha-olefin copolymers offer improvements and additional efficiencies over the use of polyisobutylene in the making of dispersants. (See Rossi, col. 1, lines 56-57 and col. 2, lines 1-27). Therefore, Rossi teaches away from using polyisobutylene in the making of dispersants. Further, Rossi does not disclose or teach using a polyisobutylene as a transmission additive.

The Office Action erroneously characterizes the disclosure and teachings of Rossi. While the Office Action states that "Rossi discloses that fuel compositions can be utilized as

power transmission fluids," this is clearly not the case. The Office Action refers to col. 1, lines 30-43 of Rossi. In that paragraph, Rossi states:

> "Hydrocarbon oil and fuel oil compositions typically include additives to enhance performance. For example, such oils typically comprise a mixture of at least one hydrocarbon base oil and one or more additives, e.g., dispersant, viscosity modifier, wax crystal modifier (e.g., pour point depressant), detergent, antioxidant, etc. additives, where each additive is employed for the purpose of improving the performance and properties of the base oil in its intended application; e.g., as a lubricating oil, heating oil, diesel oil, middle distillate fuel oil, power transmission fluid and so forth."

Rossi clearly states that various types of hydrocarbon oil and fuel oil compositions each include various additives for the purpose of improving the performance and properties in its intended application. Rossi does not state, as the Office Action interprets, that the various types of hydrocarbon oil and fuel oil compositions are interchangeable.

Even further, even if the Office Action were correct in its reading of Rossi, which it is not, Rossi teaches away from using a polyisobutylene component. Therefore, there is no motivation for one of skill in the art to combine Rossi and L'Heureux.

One of skill in the art reading L'Heureux or Rossi would learn nothing about fluid components or properties for use as a power transmission fluid. Even further, one reading L'Heureux or Rossi would learn nothing about obtaining a friction versus velocity curve with a more positive slope at high speeds for power transmission fluids.

The presently claimed invention provides a significant improvement over the prior art by providing a transmission fluid that provides a small friction drop at high speeds. See for example, the Table on page 26 in which transmission fluid VIIA has a friction drop of less than 0.008 at max-min and max-300 compared to transmission fluids not containing the polyisoalkylene of the presently claimed invention.

Therefore, independent claims 38 and 52 and their dependent claims are nonobvious over L'Heureux in combination with Rossi.

US 6,300,290 (L'Heureux) in view of US 4,912,272 (Wu)

Claims 7 and 27 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over L'Heureux in view of US 4,912,272 to Wu ("Wu"). This rejection is traversed for at least the following reasons.

Nothing in L'Heureux, Wu, or their combination discloses, teaches, or suggests anything about the power transmission fluid composition of claim 1 or the method of improving shear stability for a transmission fluid of claim 21 comprising a polyisoalkylene component and having a friction versus velocity curve with a more positive slope at high speeds compared to a fluid not containing polyisoalkylene. Further, none of L'Heureux, Wu, or their combination discloses, teaches, or suggests an additive concentrate for a transmission fluid that has a friction drop at high speeds of less than about 0.008.

L'Heureux discloses an oil composition useful as a two-cycle engine oil. A two-cycle engine oil is different from a power transmission fluid in many ways, one notable way being that a two-cycle engine oil is mixed with fuel and combusted (See L'Heureux, col. 1, lines 15-21 and col. 6, lines 35-60). A two-cycle engine oil and a power transmission fluid are used in different parts of a vehicle and are used for completely different purposes. One of skill in the art reading L'Heureux learns about a two-cycle engine oil and the performance requirements thereof. One reading L'Heureux learns nothing about fluid components or properties for use as a power transmission fluid or a power transmission fluid additive composition. Even further, one reading L'Heureux learns nothing about improving the friction properties of a power transmission fluid using a specific viscosity index improver, namely, a polyisoalkylene.

Wu discloses a lubricant blend with enhanced viscosity indices. The mixtures are disclosed as being used for engine oils or hydraulic oils. However, nothing in Wu discloses or teaches about fluid components or properties for use as a power transmission fluid or a power transmission fluid additive composition. Even further, one reading Wu learns nothing about improving the friction properties of a power transmission fluid using a specific viscosity index improver, namely, a polyisoalkylene

The presently claimed invention provides a significant improvement over the prior art by providing a transmission fluid that provides a small friction drop at high speeds. See for example, the Table on page 26 in which transmission fluid VIIA has a friction drop of less than 0.008 at max-min and max-300 compared to transmission fluids not containing the polyisoalkylene of the presently claimed invention.

Therefore, independent claims 1 and 21 and their dependent claims 7 and 27 are nonobvious over L'Heureux in combination with Wu.

US 6,300,290 (L'Heureux) in view of US 6,468,948 (Rossi) and US 4,912,272 (Wu)

Claim 40 is rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over L'Heureux in view of Rossi and Wu. This rejection is traversed for at least the following reasons.

Claim 40 is dependent upon claim 38. As discussed above, claim 38 is nonobvious in view of L'Heureux in combination with Rossi. One of skill in the art reading L'Heureux or Rossi would learn nothing about fluid components or properties for use as a power transmission fluid. Even further, one reading L'Heureux or Rossi would learn nothing about obtaining a friction versus velocity curve with a more positive slope at high speeds for power transmission fluids. Likewise, Wu does not disclose or suggest anything that would make up for the deficiencies in that combination.

Therefore, independent claim 38 and its dependent claim 40 are nonobvious in view of L'Heureux in view of Rossi and Wu.

US 6,300,290 (L'Heureux) in view of US 6,468,948 (Rossi) and US 6,444,622 (Bala)

Claims 43-47 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over L'Heureux in view of Rossi and Bala. This rejection is traversed for at least the following reasons.

Claims 43-47 are dependent upon claim 38. As discussed above, claim 38 is nonobvious in view of L'Heureux in combination with Rossi. One of skill in the art reading L'Heureux or

Rossi would learn nothing about fluid components or properties for use as a power transmission fluid. Even further, one reading L'Heureux or Rossi would learn nothing about obtaining a friction versus velocity curve with a more positive slope at high speeds for power transmission fluids. Likewise Bala, as discussed earlier, does not disclose or suggest anything that would make up for the deficiencies in that combination.

Therefore, independent claim 38 and its dependent claims 43-47 are nonobvious in view of L'Heureux in combination with Rossi and Bala.

US 6,300,290 (L'Heureux) in view of US 6,103,673 (Sumiejski)

Claims 18, 19, and 52 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over L'Heureux in view of US 6,103,673 to Sumiejski ("Sumiejski"). This rejection is traversed for at least the following reasons.

L'Heureux discloses an oil composition useful as a two-cycle engine oil. A two-cycle engine oil is different from a power transmission fluid in many ways, one notable way being that a two-cycle engine oil is mixed with fuel and combusted (See L'Heureux, col. 1, lines 15-21 and col. 6, lines 35-60). A two-cycle engine oil and a power transmission fluid are used in different parts of a vehicle and are used for completely different purposes. One of skill in the art reading L'Heureux learns about a two-cycle engine oil and the performance requirements thereof. One reading L'Heureux learns nothing about fluid components or properties for use as a power transmission fluid or a power transmission fluid additive composition. Even further, one reading L'Heureux learns nothing about improving the friction properties of a power transmission fluid using a specific viscosity index improver, namely, a polyisoalkylene. Nothing in L'Heureux discloses, teaches, or points to using a polyisoalkylene in a power transmission fluid or a power transmission fluid additive composition or to improve friction properties.

Sumiejski discloses a continuously variable transmission fluid composition including a major amount of an oil of lubricating viscosity, an overbased metal salt, a phosphorus compound, and a combination of at least two friction modifiers selected from zinc salts of fatty

acids, hydrocarbyl imidazolines, and borated epoxides. Nothing in Sumiejski discloses or suggests utilizing a polyisoalkylene component to improve the friction properties at high speeds.

The Office Action erroneously characterizes the disclosure and teachings of Sumiejski. While the Office Action states that "Sumiejski discloses that it is known in the art for two-cycle lubricants to also be utilized in automatic and constantly variable transmissions," this is clearly not the case. The Office Action refers to col. 19, line 56 through col. 20, line 5 of Sumiejski. In that paragraph, Sumiejski states:

> "The compositions of the present invention can be used as lubricating oils and greases useful in industrial applications and in automotive engines, transmissions and axles. These compositions are effective in a variety of applications including crankcase lubricating oils for spark-ignited and compression-ignited internal combustion engines, including automobile and truck engines, two-cycle engines, aviation piston engines, marine and low-load diesel engines, and the like. Also, automatic transmission fluids, manual transmission fluids, transaxle lubricants, gear lubricants, metalworking lubricants, hydraulic fluids, and other lubricating oil and grease compositions can benefit from the incorporation of the compositions of this invention. The inventive functional fluids are particularly effective as automatic transmission fluids, particularly fluids for continuously variable transmissions, including push-belt type and toroidal traction drive transmissions."

Sumiejski clearly states that the specific CVT compositions disclosed in Sumiejski may be used in various applications. Sumiejski does not state, as the Office Action interprets, that the various types of fluid compositions are all interchangeable.

Even further, even if the Office Action were correct in its reading of Sumiejski, which it is not, Sumiejski teaches a specific CVT fluid composition that does not include a polyisobutylene component. L'Heureux teaches an engine oil composition. There is no motivation for one of skill in the art to combine Sumiejski and L'Heureux.

One of skill in the art reading L'Heureux or Sumiejski would learn nothing about fluid components or properties for use as a power transmission fluid as presently claimed. Even further, one reading L'Heureux or Sumiejski would learn nothing about obtaining a friction versus velocity curve with a more positive slope at high speeds for power transmission fluids.

The presently claimed invention provides a significant improvement over the prior art by providing a transmission fluid that provides a small friction drop at high speeds. See for example, the Table on page 26 in which transmission fluid VIIA has a friction drop of less than 0.008 at max-min and max-300 compared to transmission fluids not containing the polyisoalkylene of the presently claimed invention.

Therefore, independent claim 1, its dependent claims 18 and 19, and independent claim 52 are nonobvious over L'Heureux in combination with Sumiejski.

US 6,300,290 (L'Heureux) in view of US 6,468,948 (Rossi) and US 6,103,673 (Sumiejski)

Claims 48, 49, and 52 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over L'Heureux in view of Rossi and Sumiejski. This rejection is traversed for at least the following reasons.

Claims 48 and 49 are dependent upon claim 38. As discussed above, claims 38 and 52 are nonobvious in view of L'Heureux in combination with Rossi. Likewise Sumiejski does not disclose or suggest anything that would make up for the deficiencies in that combination.

Therefore, independent claim 38 and its dependent claims 48 and 49 are nonobvious in view of L'Heureux in combination with Rossi and Sumiejski.

US 6,300,290 (L'Heureux) in view of US 6,103,673 (Sumiejski) and US 2002/0130010 (Landa)

Claim 20 is rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over L'Heureux in view of Sumiejski and US 2002/0130010 to Landa ("Landa"). This rejection is traversed for at least the following reasons.

Claim 20 is dependent upon claim 1. As discussed above, claim 1 is nonobvious in view of L'Heureux in combination with Sumiejski. Landa discloses friction clutch paper and carbon fiber transmission plate configurations. Landa does not disclose or suggest anything that would make up for the deficiencies in the combination of L'Heureux and Sumiejski.

Therefore, independent claim 1 and its dependent claim 20 are nonobvious in view of L'Heureux in combination with Sumiejski and Landa.

US 6,300,290 (L'Heureux) in view of US 6,468,948 (Rossi), US 6,103,673 (Sumiejski), and US 2002/0130010 (Landa)

Claim 50 is rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over L'Heureux in view of Rossi, Sumiejski, and Landa. This rejection is traversed for at least the following reasons.

Claim 50 is dependent upon claim 38. As discussed above, claim 38 is nonobvious in view of L'Heureux in combination with Rossi and Sumiejski. Likewise Landa does not disclose or suggest anything that would make up for the deficiencies in that combination.

Therefore, independent claim 38 and its dependent claim 50 are nonobvious in view of L'Heureux in combination with Rossi, Sumiejski, and Landa.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

FEES

It is the belief of the undersigned attorney that there are no fees associated with this filing. However, in the event that the calculations are incorrect, the Commissioner is authorized to charge any deficiencies in fees or credit any overpayment associated with this communication to Deposit Account No. 12-2355.

Respectfully submitted,

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